

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PATRICIA MCINTYRE, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

TRANSUNION, LLC, and TRANSUNION
RESIDENT SCREENING SOLUTIONS,
INC.,

Defendants.

⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮

No. 2:18-cv-03865-RBS

**DEFENDANTS’ MOTION TO DISMISS
COUNT II OF PLAINTIFF’S CLASS ACTION COMPLAINT**

Defendants Trans Union LLC (“Trans Union”) and TransUnion Rental Screening Solutions, Inc. (“TURSS”) (improperly sued as TransUnion, LLC and TransUnion Resident Screening Solutions, Inc.) (collectively, the “Defendants”) hereby move, pursuant to Federal Rules of Civil Procedure 12(b)(6), to dismiss Count II of Plaintiff Patricia McIntyre’s (“McIntyre”) Class Action Complaint (the “Complaint”). As set forth in the accompanying Brief In Support, McIntyre fails to state a claim for piercing the corporate veil between Trans Union and TURSS, and thus McIntyre has failed to plausibly allege that Trans Union violated Section 1681g(a) of the Fair Credit Reporting Act (“FCRA”) by failing to disclose information from TURSS’s file relating to McIntyre.

Accordingly, Defendants respectfully request, pursuant to Rule 12(b)(6), that the Court grant its Motion and dismiss Count II with prejudice for failure to state a claim.

Dated: November 2, 2018

Respectfully submitted,

s/ Michael O'Neil

Michael O'Neil (*Pro Hac Vice*)
Albert E. Hartmann (*Pro Hac Vice*)
REED SMITH LLP
10 South Wacker Drive, 40th Floor
Chicago, IL 60606
T: (312) 207-1000
michael.oneil@reedsmith.com
ahartmann@reedsmith.com

-and-

Michael C. Falk
Daniel P. Wotherspoon
REED SMITH LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
T: (215) 851-8210
mfalk@reedsmith.com
dwotherspoon@reedsmith.com

*Counsel for Defendants Trans Union, LLC
and TransUnion Rental Screening Solutions,
Inc.*

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on November 2, 2018, a true and accurate copy of the foregoing was filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all ECF-registered parties. Parties may access this filing through the Court's CM/ECF system.

s/ Michael O'Neil